

Mr. Speaker, I am pleased and proud to join with my good friends at the ILGWU, the Commonwealth of Pennsylvania, and the entire community in paying a much over-due tribute to this beloved figure in our region's history, Mrs. Min Matheson.

CONTINUING THREATS TO THE RUSSIAN JEWISH COMMUNITY

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 1999

Mr. SMITH of New Jersey. Mr. Speaker, as my colleagues are aware, for the past year or so, the Jewish community of Russia has been subjected to anti-Semitic threats and violence. And this is not just from marginalized, thuggish elements on the streets; even elected officials in Russia have resorted to anti-Semitic slurs and threats.

Amid the latest explosions in Moscow, it is all the more remarkable that no Jewish institutions were attacked in Russia during the Jewish New Year celebration of Rosh Hashanah. Responding to the concerns of the Russian and American Jewish communities, as well as the U.S. Government and Members of Congress, the Russian authorities provided adequate protection for the synagogues, at least in the capital city, Moscow. The federal government of Russia and Moscow's city government deserve credit for this protection of their citizens. Monday's Yom Kippur celebration also passed without incident, and authorities would also be well advised to ensure that future holiday observances are accompanied by a visible and comprehensive police presence.

In the past several weeks, a Jewish community leader was violently attacked inside the Moscow Choral Synagogue, and explosives or false bomb threats have been uncovered in synagogues as well. In addition to synagogues, schools and other institutions are also at risk. The school year has now begun, and elderly Jews will again turn to social services institutions with the approach of winter. Russian authorities should be encouraged to continue protecting Jewish facilities, as well as seriously investigating and prosecuting those guilty of crimes against Jews. In addition, Russian officials should speak out frequently and publicly against those who would—either through word or deed—tear at the fabric of tolerance in Russia. To his credit, President Yeltsin has denounced “disgusting acts of anti-Semitism” in Russia, and in a telegram to the Chief Rabbi of Russia, His Holiness Patriarch Alexei II condemned the attack in the Moscow Choral Synagogue. Hopefully, these statements against violence and for tolerance will be emulated by responsible Russian leaders throughout Russia.

As much as permitting the free exercise of religion is a duty of any government, so is the protection of those exercising that right. As we Americans have unfortunately witnessed in our own country in recent months, our Nation is not immune to anti-Semitic violence. Law enforcement cannot completely guarantee against infringement of these rights, but we have demonstrated what I believe is an appro-

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appropriate model of community and official response. For instance, when synagogues in California were bombed earlier this year, the California State Legislature condemned the attacks, and the alleged perpetrators are now in custody.

The police protection of synagogues throughout Moscow, along with President Boris Yeltsin's strong message of support to the Jewish community on the eve of the Jewish High Holy Days, represent a commendable Russian step in that same direction. Effective security measures should continue as long as the Jewish community is under threat, but we hope that ultimately such measures will no longer be necessary in a stable, democratic Russia.

THANKING CHUCK RUSSELL FOR HIS MANY YEARS OF SERVICE TO THE STATE OF TEXAS

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 1999

Mr. GREEN of Texas. Mr. Speaker, I rise today to honor the 30 years of service Chuck Russell has provided to the children of Texas and our great nation. At the end of this month, Chuck will retire from his position as Assistant to the Texas Education Commissioner for Government Relations. Although Chuck has enjoyed his time in Washington, I am certain that he is looking forward to going home to Texas.

Chuck has spent his career working tirelessly on behalf of all children. As a government affairs official, he worked to make education funding formulas more equitable. He facilitated discussions between the Congress, U.S. Department of Education, the White House, the Texas Education Agency and local school districts. He always promoted what was best for school children, never forgetting that they were the reason for him being here. Their best interest was his driving force.

Chuck's education experience was not limited to government affairs. He has also worked as a special education teacher in Monterey, California and as a project director for the Texas School for the Blind.

American historian and writer Henry Adams once stated that “an educator affects eternity; he can never tell when his influence stops.” For Chuck Russell, the lives he has touched over his many years in the education field will ensure that his influence carries on far into the future.

I ask my colleagues to join me in honoring the career of one of Texas' education heroes as Chuck Russell completes his final days as an advocate for education. Chuck, we wish you and your wife Judy all the best.

September 24, 1999

TRIBUTE TO THE SOJOURNER TRUTH INSTITUTE IN COMMEMORATION OF THE SOJOURNER TRUTH MEMORIAL MONUMENT

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 1999

Mr. SMITH of Michigan. Mr. Speaker, I rise today to honor the Sojourner Truth Institute for their hard work and dedication to the Sojourner Truth Memorial Monument, which is being unveiled in Battle Creek, Michigan on Saturday, September 25, 1999.

Deserving recognition for this historic event are monument sculptor Tina Allen, Institute Administrator Michael Evans, Dr. Velma Laws-Clay and the entire Monument Steering Committee for the vision of turning an idea into a reality. The monument will stand to commemorate Sojourner Truth's crusade for the abolition of slavery, women's suffrage, and human rights for all.

Sojourner Truth is one of Battle Creek's greatest citizens and her impact on American history is immeasurable. She stood as a strong voice for the nation's ideals of freedom and equality at a time of great conflict. She was an abolitionist and an outspoken leader for women's rights. “Today I have the right to speak out in public and be as successful as I choose to be because she was a pioneer for the rights of women and others”, said Dr. Laws-Clay.

The Sojourner Truth Institute, with the proud support of the entire Battle Creek community, will sponsor a weekend-long celebration culminating with the unveiling of sculptor Tina Allen's 12-foot tall bronze statue of Sojourner Truth in Battle Creek's new Monument Park. “The intention was to provide a place where visitors and residents of the city can learn about what she really meant to the city of Battle Creek and bring the city's history to an even larger audience. It is also a very appropriate welcome at the gateway of our city”, said Michael Evans.

I wish to thank everyone involved in bringing this monument to life and continuing the legacy of Sojourner Truth, who is one of the greatest human rights activists in this nation's history. I am honored to represent a city with such character and determination. The work of the Sojourner Truth Institute will ensure that Battle Creek and America long remembers Sojourner Truth's message of freedom and I commend the Institute's vision and dedication.

CONSOLIDATION OF MILK MARKETING ORDERS

SPEECH OF

HON. BILL LUTHER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1402) to require the Secretary of Agriculture to implement the Class I milk price structure known as

Option 1A as part of the implementation of the final rule to consolidate Federal milk marketing orders:

Mr. LUTHER. Mr. Chairman, I rise in opposition to H.R. 1402, legislation to consolidate Federal Milk Marketing Orders. I grew up on a small, family dairy farm near Fergus Falls, Minnesota and understand how the current antiquated dairy pricing system discriminates against the family farms in the Midwest. In 1996, this Congress passed the Freedom to Farm Act, legislation that seriously affected American family farmers. Freedom to Farm has not worked out as its authors had said it would, but part of the bill called for a more market-oriented dairy pricing system. In other words, the Freedom to Farm Act encouraged the Department of Agriculture to do exactly what it has proposed: develop a pricing system that does not penalize Midwestern states.

For too long, farmers in Minnesota and other states in the Upper Midwest have suffered from unfair dairy prices. Instead of correcting this problem, H.R. 1402 forces us to remain in this regime. This bill also forces us to maintain a price support system that jeopardizes our ability to negotiate international trade agreements for agricultural products. Before we can make progress on trade issues, we must set an example by moving toward a market-oriented dairy pricing system. I encourage my colleagues to reject the old way of doing things in Washington, support regional equity in the dairy industry and vote against the legislation before us today.

TRIBUTE TO DELON HAMPTON,
PH.D., P.E.

HON. JAMES E. CLYBURN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 1999

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Dr. Delon Hampton who is soon to be inaugurated President of the American Society of Civil Engineers (ASCE). His installation as president of this fine organization is historic in that Dr. Hampton will be the first African-American ever to serve in that capacity. As Chairman of the Congressional Black Caucus, I applaud this outstanding achievement.

It is not surprising that Dr. Hampton would be honored with such distinction. Currently he is Chairman of the Board and Chief Executive Officer of his own consulting engineering, design, and construction and program management services firm, Delon Hampton & Associates, Chartered (DHA). This successful venture has been in operation for 26 years and is one of the top 360 design firms in America.

Dr. Hampton has also lent his talents to academic pursuits. He was actively involved in university teaching and research for approximately 25 years and has published over 40 papers in professional and technical journals.

In addition to his active role with the ASCE, Dr. Hampton has also been involved as an Associate Member of the Board of Governors of the American Public Transit Association (APTA). His other involvements include serving on the Board of Directors for the Greater Washington Board of Trade, as a Director for

the Center for National Policy, and as a Malcolm Baldrige Award Overseer for the U.S. Department of Commerce.

Dr. Hampton's honors include being a Councillor of the National Academy of Engineering, receiving Honorary Doctorate degrees from Purdue University and the New Jersey Institute of Technology, being selected a Distinguished Engineering Alumnus and Old Master by Purdue University, being a recipient of the Civil Engineering Alumni Association's Distinguished Alumnus Award of the University of Illinois, and being a recipient of the Edmund Friedman Professional Recognition Award and the James Laurie Prize both given by the American Society of Civil Engineers.

Mr. Speaker, I ask you and my colleagues to join me today in paying tribute to this outstanding civic leader and businessman. Dr. Hampton's historic selection as the first African-American president of the American Society of Engineers is a reflection of his impeccable credentials and a testament to the successes that can be achieved by minorities when they are empowered with education and opportunity. The example of excellence he exemplifies deserves the highest commendation.

INTERSTATE CLASS ACTION JURISDICTION ACT OF 1999

SPEECH OF

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1875) to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions:

Mr. CASTLE. Mr. Chairman, I rise today in strong support of H.R. 1875, the "Interstate Class Action Jurisdiction Act of 1999" because it contains provisions essential to preserving the reliable body of state case law that guides the governance of internal corporate affairs, most of which is developed by specialized courts in my state of Delaware. The depth and quality of this case law gives boards of directors for corporations all over the country the necessary guidance and predictability to move forward with multi-million dollar transactions according to their business judgment without the threat of courts overturning these transactions.

On July 22, 1998, the House passed H.R. 1689, the "Securities Litigation Uniform Standards Act" by a vote of 340 to 83. That bill contained a non-controversial carve out, constructed with technical assistance from the Securities Exchange Commission (SEC), for state class actions involving the purchase or sale of securities. Congress and the SEC recognized that the states had a well-developed body of law on the fiduciary duty of directors to disclose information to shareholders in connection with votes and investment actions, such as proxy solicitations, mergers, restructures, exchanges and tender offers. Therefore, there was no need to remove class actions concerning these transactions from state courts to federal courts.

As originally drafted, the Class Action Jurisdiction Act failed to provide for this same protection of state expertise. In fact, it would have undone the widely accepted Securities Litigation Uniform Standards Act's carve out. Furthermore, because the Class Action Jurisdiction Act federalizes a broader range of class actions, adding the Securities Litigation Uniform Standards Act carve out would not have been sufficient. Therefore, in cooperation with expert corporate law attorneys from both the plaintiff and defense bars, legal scholars, and Congressman GOODLATTE, I drafted an amendment to carve out class actions involving securities and internal corporate governance matters. The amendment was included in the manager's amendment when the bill was marked up in the Judiciary Committee.

Some of my colleagues have raised concerns that state corporate law issues should not be the only ones exempted from "federalization" under the Class Action Jurisdiction Act. I look forward to the debate on whether other class actions should be exempted. However, it is important to note that what makes corporate law issues unique is that there is no federal corporate law. State incorporation laws act like enabling statutes. That is, there is no law unless case law develops it. Traditionally, this law has been developed at the state level. Delaware, New York, and California particularly have large bodies of well-developed state corporate law. Given the structure of the federal court system with twelve circuit courts of appeal and the limited ability of the Supreme Court to adjudicate conflicts among the circuits, the removal of state courts from the adjudicatory process for class actions involving corporate law issues could add significant uncertainty to the resolution of issues arising under state corporate laws.

The SEC recognized this problem in its testimony concerning the Securities Litigation Uniform Standards Act. It stated:

Preemption of state duty of disclosure claims raises significant federalism concerns. Many state courts, particularly those in Delaware, have developed expertise and a coherent body of case law which provides guidance to companies and lends predictability to corporate transactions. In addition, the Delaware courts, in particular, are known for their ability to resolve such disputes expeditiously—in days or weeks, rather than months or years. Delay in resolving a dispute over a merger or acquisition could jeopardize completion of a multi-billion-dollar transaction. Broad preemption would diminish the value of this body of precedent and these specialized courts as a means of resolving corporate disputes.

Furthermore, a trend has begun to emulate Delaware by creating courts with jurisdiction designed to provide a forum for the resolution of disputes involving business entities with expertise and efficiency. New York and Pennsylvania have created such courts. This reflects a judgment that the coherent articulation and development of state law governing business entities is a goal to be pursued, and one best addressed by the creation of a forum with subject matter expertise in the area. Federalizing class actions involving state corporate law would only serve to fracture the development of the law, rather than leaving it in the hands of a small number of highly specialized and expert jurists, conversant with the history and current trends in the development of the law.